



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

Room 411 South, State Capitol
Madison, Wisconsin

March 6, 2002

8:45 a.m. – 9:35 a.m.

[The following is a summary of the March 6, 2002 meeting of the Joint Legislative Council. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting and a copy of the registration form listing those who attended. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc/2000studies.htm>.]

Call to Order and Roll Call

Co-Chair Rhoades called the meeting to order and presented some background information on the *Joint Legislative Council Study Proposals* report the Council members had received prior to today's meeting. She told the Council members that Senator Risser and she had met several times before deciding on these 15 study proposals. She pointed out that other requests have been received since this report and that the Co-Chairs would be looking at those requests at a later time. She said this is just a starting point but their hope is that by involving the Council members in the discussion of possible study topics that this will result in greater participation and ownership of future Council committees. Co-Chair Rhoades finished her remarks by stating that this would be brought up for further discussion after completion of the report on the Special Committee on Navigable Waters Recodification.

COMMITTEE MEMBERS
PRESENT:

Rep. Kitty Rhoades and Sen. Fred A. Risser, Co-Chairs; Reps. Spencer Black, Peter Bock, Steven Foti, Stephen Freese, Scott R. Jensen, Michael Lehman, Lee Meyerhofer and Jeff Stone; and Sens. James Baumgart, Alberta Darling, Richard Grobschmidt, Mary Panzer, Judy Robson, Robert Welch and David Zien.

COMMITTEE MEMBERS
EXCUSED:

Reps. John Gard and Gregory Huber; and Sens. Brian Burke, Charles Chvala and Gary George.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; Bob Conlin, Bill Ford, Joyce Kiel, Mary Matthias, Mark Patronskey, Anne Sappenfield, Pam Shannon, Dick Sweet and Russ Whitesel, Senior Staff Attorneys; Philip Cardis, Rachel Letzing and Mary Offerdahl, Staff Attorneys; Dan Schmidt, Analyst; John Stolzenberg, Chief of Research Services; Joshua Todd, Intern; and Wendy Ulrich and Kelly Mautz, Administrative Assistants.

APPEARANCES: Sen. James Baumgart and Rep. Scott Gunderson, Co-Chairs, Special Committee on Navigable Waters Recodification.

**Approval of the Minutes of the Committee's
January 30 and February 13, 2002 Meetings**

It was moved by Sen. Grobschmidt, seconded by Rep. Freese, that the minutes of the January 30 and February 13, 2002 meetings be approved. The motion was adopted by unanimous consent.

Consideration of 2000 Study Committee Report:

**Report of the Special Committee on
Navigable Waters Recodification**

Co-Chair Rhoades announced that the Council would now complete its action on the bill recommended by the Special Committee on Navigable Waters Recodification (WLC: 0243/1, relating to recodification of ch. 30, Stats.).

Senator Baumgart told the Council that it was an honor and privilege to serve with Representative Gunderson on this study committee. Representative Gunderson thanked the Council for the opportunity to appear before them again. He said that the committee did its best to make ch. 30 easier to read.

Senator Baumgart acknowledged that some members of the Legislature may wish to amend this bill. This legislation will be referred to the appropriate standing committees and can be amended at that time he noted. In addition, the public may comment on any proposed amendments and further allow the Legislature to make an informed decision. He said he would accept the Council members' wishes, but his preference is that no amendments be made to the bill at today's meeting.

Co-Chair Rhoades asked if there was any further discussion on this bill.

Senator Welch expressed concerns about how the bill addressed navigability and commented that he did not think that the committee went in the direction that it was intended to go regarding drainage ditches.

Representative Black said that a vote to introduce a bill by the Council does not imply support for the bill in its entirety. He reminded members that the bill or bills will follow the entire process in the

Legislature. The Council should concern itself with the committee's ability to operate within the scope of study it was given.

After hearing no further discussion:

Co-Chair Risser moved, seconded by Rep. Foti, that WLC: 0243/1, relating to recodification of ch. 30, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 15 (Reps. Rhoades, Black, Bock, Foti, Freese, Jensen, Lehman, Meyerhofer and Stone; and Sens. Risser, Baumgart, Grobschmidt, Panzer, Robson and Zien); Noes, 1 (Sen. Welch); and Absent, 6 (Reps. Gard and Huber; and Sens. Burke, Chvala, Darling and George).

[Sen. Zien asked that the record reflect that he voted in favor of this bill with the understanding that Rep. Gard will have subsequent amendments to the bill.]

Review of Study Requests

Co-Chair Rhoades said that Legislative Council staff was present to answer any questions Council members may have on the 15 study proposals presented to them. She then directed the members' attention to an opinion poll at their places that she and Co-Chair Risser ask they fill out before leaving today.

The Council members held a discussion of the study proposals and the entire interim study process.

Senator Grobschmidt recommended that a "school-to-work" study be added to the list of those considered by the Council. He also noted that the special education brief did not speak to the funding issues. Co-Chair Risser noted that this was left out of the scope to allow flexibility to the special committee co-chairs. He concluded by noting that the protective status retirement study could also be conducted by the Joint Survey Committee on Retirement Laws.

Senator Baumgart noted that he has grown unhappy with the Council's treatment of the study committee process. He stated that special committees need to be respected if they do the work they are requested to do.

Representative Stone encouraged the Council to spend greater time and review of the study process at the beginning rather than at the end. He stated that it is more important for the Council to give thorough examination and discussion to the formulation of study scopes at the beginning of the study process rather than trying to amend final bill drafts and study reports.

Senator Panzer encouraged balanced membership on the committees. She requested balance both in a partisan manner and also in the area of interest representation by the public members.

Senator Robson noted several areas of change needed in the scope of the embryo adoption study. Representative Freese also clarified the nature of his request.

Representative Lehman proposed that if a special committee recommends funding as part of its solution, that recommendation be a separate bill from the one containing the other committee recommendations. This allows the two aspects of the recommendation to be considered individually.

Co-Chair Risser stated that Legislative Council staff would rework those requested study briefs and that at the next meeting of the Council the members would have a chance to review them again, along with other study proposals that may be added.

Consideration of Proposed Rule Relating to Handling of Amendments

Rep. Jensen moved, seconded by Rep. Foti, that the following rule relating to amendments be introduced by the Joint Legislative Council:

“That amendments to proposals before the Joint Legislative Council may be offered only by members of the Council. All amendments shall be prepared in written form by the Legislative Council Staff and shall identify the member proposing the amendment.”

The motion was adopted by unanimous consent.

Co-Chair Rhoades asked Co-Risser to chair the remainder of the meeting because she was also serving as a member of Joint Finance and they were about to meet.

Other Business

Returning to the discussion on study proposals, Co-Chair Risser stated that he thought the discussion today was very valuable. He said that he and Co-Chair Rhoades would meet to discuss what transpired at today’s meeting and hopefully have a meeting in the near future with the full Council discussing any new requests that have been submitted, along with reviewing those that need further work from today’s comments.

Adjournment

The meeting was adjourned at 9:35 a.m.

TCA:wu;ksm